

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HARRY J. SMITH,	:	
	:	
Petitioner,	:	
	:	
v.	:	Civ. Act. No. 07-408-JJF
	:	
PERRY PHELPS, Warden, and	:	
ATTORNEY GENERAL OF THE STATE	:	
OF DELAWARE,	:	
	:	
Respondents.	:	

ORDER

At Wilmington, this 29 day of July, 2008, for the reasons set forth in the Memorandum Opinion issued this date;

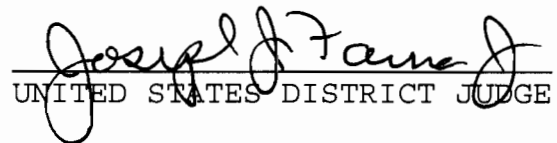
IT IS HEREBY ORDERED that:

1. Petitioner Harry J. Smith's Application For A Writ Of Habeas Corpus Pursuant To 28 U.S.C. § 2254 (D.I. 1.) is

DISMISSED, and the relief requested therein is **DENIED**.

2. Petitioner's Motion For The Entry Of Default (D.I. 20.) is **DENIED**.

3. The Court declines to issue a certificate of appealability because Petitioner has failed to satisfy the standards set forth in 28 U.S.C. § 2253(c)(2).


UNITED STATES DISTRICT JUDGE